

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

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|-------------------------------|---|---|
| ePLUS, INC., |) | |
| |) | |
| |) | Civil Action No. 3:09-CV-620 (REP) |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| LAWSON SOFTWARE, INC., |) | |
| |) | |
| |) | |
| Defendant. |) | |

PLAINTIFF *ePLUS INC.*'S PROPOSED VOIR DIRE

Plaintiff *ePlus, Inc.*, ("*ePlus*") hereby provides the attached proposed voir dire for the trial in the above-captioned matter, pursuant to the Scheduling Order, as amended, in this case. *ePlus* reserves its right to propose additional voir dire pending the receipt of additional information about the jury pool for this case, and based upon conferences with opposing counsel.

Plaintiff *ePlus, Inc.*, hereby requests that the Court ask the following questions during the voir dire process:

- 1) Does any member of the jury panel know any of the lawyers who were introduced to you?
- 2) Are you related, by blood or by marriage, to any of the lawyers in this case?
- 3) Have you or any member of your family ever been represented by any of the lawyers or their law firms in this case?
- 4) Has any member of the jury panel, either now or in the past, ever been employed by Lawson Software, Inc.?
- 5) Has any member of the jury panel, either now or in the past, ever been employed by *ePlus, Inc.*?
- 6) Has any member of the jury panel, or your immediate family, ever been employed by a company which provides or sells computer software or systems?
- 7) Has any member of the jury panel, or your immediate family, ever been employed by a company which provides or sells electronic procurement or electronic sourcing software or systems?
- 8) Has any member of the jury panel, or their immediate family, ever used electronic procurement or electronic sourcing software or systems for an employer in connection with work?
- 9) Has any member of the jury panel, or their immediate family, been responsible for ordering or procuring goods or services for their company or employer, including through the use of any of the following: the Lawson Software S3 Supply Chain

Management system or M3 Supply Chain Management system, Fisher Scientific RIMS, IBM Technical Viewer/2 (or "TV/2"), PO Writer, J-CON, or ePlus Procure+ or ePlus Content+?

10) Have you or any member of your immediate family ever purchased software from Lawson Software, Inc., or ePlus, Inc.? Have you or any member of your family done any business with Lawson Software, Inc., or ePlus, Inc.?

11) Do you or any member of your family know or have you known of the following people, who may be called to testify in this case:

Dale Christopherson
Lynn Cimino
Todd Dooner
Pamela Eng
Kenneth Farber
Laurene Fielder-McEneny
Jeff Frank
Charles Gounaris
Dean Hager
Brooks Hilliard
Jeff Hvass
Robert Irwin
James Johnson
Robert Kinross
Keith Knuth
Richard Lawson
Keith Lohkamp
Elaine Marion
Manuel Matias
Douglas Momyer
Patrick Niemeyer
Phillip Norton
Johanna O'Loughlin
Kristy Oliver
Kleyton Parkhurst
Hannah Raleigh
Michael Shamos
Preston Staats
Gene Tabachnik
Guenther Tolkmith
Alfred Weaver, Ph.D.
Kenneth White
Vicky Williams
William Yuhasz

12) Have you or any member of your immediate family ever served before on a jury?

13) Are there any members of the jury, or their immediate families, who have any education or training in engineering, electronics or computer programming?

14) Are there any members of the jury, or their immediate families, who have any education or training in electronic sourcing and electronic procurement?

15) Are there any members of the jury panel, or their immediate families, who have ever had any contact, business or other involvement, with the United States Patent and Trademark Office?

16) Is there any member of the jury panel, or their immediate family, who has ever invented a process which utilizes various computer software and computer hardware components?

17) Is there any member of the jury panel, or their immediate family, who has ever considered, or sought advice about, obtaining a patent, copyright or trademark for an idea, process, method, or invention?

18) Is there any member of the jury panel, or their immediate family, who has ever been awarded a United States Patent for an invention?

19) Is there any member of the jury panel, or their immediate family, who has ever had to enforce their intellectual property right, such as a patent, against an infringer?

20) Has any member of the jury ever been educated, formally or informally, about how one protects intellectual property from infringement by others?

21) Has any member of the jury ever been educated, formally or informally, in the area of electronic procurement or electronic sourcing?

22) Has any member of the jury ever been educated, formally or informally, in the area of internet searching software?

23) Have you or any member of your immediate family ever been involved in a lawsuit, either as a plaintiff or defendant?

24) It is possible that this case will take two weeks or longer to complete. Is there any member of the jury panel who has a specific hardship that would make it impossible to commit this amount of time?

25) Does any member of the jury panel have any special physical disability or problem that would make it difficult or impossible for you to serve as a juror?

26) Does any member of the jury panel harbor any prejudice or bias which would prevent you from sitting as a fair and impartial juror in this case?

27) Have you or any member of your family ever been employed by the United States government, including the United States Patent and Trademark Office?

28) Have you ever used Fisher Scientific or ProcureNet products?

Respectfully submitted,

Dated: December 28, 2010

/s/

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CERTIFICATE OF SERVICE

I certify that on this 28th day of December, 2010, I will electronically file the foregoing **PLAINTIFF ePLUS INC.'S PROPOSED VOIR DIRE** with the Clerk of Court using the CM/ECF system which will then send a notification of such filing (NEF) via email to the following:

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